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APR 30 2004

DATE: April 30, 2004
TO: Examiner Barbara N. Burgess
FIRM: USPTO, Group Art Unit 2157
FAX #: (703) 872-9306
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FROM: Jon A. Gibbons

**TOTAL NUMBER OF PAGES: 14
(INCLUDING THIS PAGE)**

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MESSAGE:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Michael L. EMENS et al.

Serial No.: 09/611,839

For: *SOFTWARE AND METHOD FOR CONTROLLING
THE TIMING OF DELAYED DOWNLOADS*

Enclosed are the following:

Transmittal letter (1 page); and Response with Amendment (12 pages)

Docket No.: AM9-1999-0218

110-A99-173

April 30, 2004

CONFIDENTIALITY NOTE: THE INFORMATION CONTAINED IN THIS TRANSMISSION IS LEGALLY PRIVILEGED AND CONFIDENTIAL, INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU RECEIVE THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE (COLLECT) AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE LISTED ADDRESS VIA THE U.S. POSTAL SERVICE. WE WILL REIMBURSE YOU FOR POSTAGE AND/OR TELEPHONE EXPENSES INVOLVED. THANK YOU.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

: Atty. Docket No. AM9-1999-0218

Michael L. EMENS, et al.

: Group Art Unit: 2157

Serial No. 09/611,839

: Examiner: Barbara N. Burgess

Filed: July 7, 2000

: Confirmation No. 6929

For: SOFTWARE AND METHOD FOR CONTROLLING THE TIMING OF DELAYED DOWNLOADS

TRANSMITTAL**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SIR:


Transmitted herewith is an amendment in the above-identified application.

☒ No additional filing fee is required.The fee has been calculated as shown below. *(Small entity fees indicated in parentheses.)*

CLAIMS AS AMENDED						
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Claims Remaining After Amendment		Highest Number Previously Paid For	Extra Claims	Rate	Fee
Total Claims (Small Entity)	21	-	21	0	18.00 (9.00)	0
Independent claims (Small Entity)	5	-	5	0	86.00 (43.00)	0
Multiple Dependent (Small Entity)	0	-	0	0	290.00 (145.00)	0
Extension of Time Fee (Small Entity)	One Month \$110 (\$55)		Two Months \$420 (\$210)	Three Months \$950 (\$475)		0
Total						\$0.00

☒ The Commissioner is hereby authorized to charge any required fees to Deposit Account No. 09-0441.

Respectfully submitted,

Date: 4/30/04By: 
Jon A. Gibbons
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PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 09/611,839
 Applicant : Michael L. EMENS et al.
 Filed : July 7, 2000
 TC/A.U. : 2157
 Examiner : Barbara N. BURGESS
 Docket No. : AM9-1999-0218
 Customer No. : 23334

Confirmation No. 6929

OFFICIAL**VIA FACSIMILE (703) 872-9306**

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450
Attention: Examiner Barbara N. BURGESS

RESPONSE WITH AMENDMENT UNDER 37 C.F.R. § 1.111

Sir:

The following amendment is being submitted in response to the Office Action dated January 30, 2004 in connection with the above-identified application. Please enter and consider the following amendment and remarks as follows:

Table Of Contents For Each Section Of this Response

IN THE CLAIMS.....	2
REMARKS.....	8
CONCLUSION.....	11

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the

date April 30, 2004 By: Karen TaragowskiSignature: Karen Taragowski
Applicant, Assignee, or Representative

AM9-1999-0218

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09/611,839